

# Town Board Minutes

**January 6, 2003**

**Meeting No. 1**

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 6<sup>th</sup> day of January 2003, at 6:30 PM and there were

**PRESENT:**                ROBERT GIZA, SUPERVISOR  
                              MARK MONTOUR, COUNCIL MEMBER  
                              RONALD RUFFINO, COUNCIL MEMBER  
                              DONNA STEMPIAK, COUNCIL MEMBER\*  
                              LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER  
                              MICHAEL MYSZKA, PLANNING BOARD MEMBER  
                              STEVEN SOCHA, PLANNING BOARD MEMBER  
                              MELVIN SZYMANSKI, PLANNING BOARD MEMBER

**ABSENT:**                RICHARD ZARBO, COUNCIL MEMBER  
                              REBECCA ANDERSON, PLANNING BOARD MEMBER  
                              STANLEY KEYSA, PLANNING BOARD CHAIRMAN

**ALSO PRESENT:**    JOHANNA COLEMAN, TOWN CLERK  
                              RICHARD SHERWOOD, TOWN ATTORNEY  
                              JEFFREY SIMME, BUILDING INSPECTOR\*\*  
                              ROBERT LABENSKI, TOWN ENGINEER

\* arrived at 6:48 P.M.

\*\* arrived at 6:45 P.M.

**PURPOSE OF MEETING:**

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for one (1) action.

**IN THE MATTER OF THE SEQR REVIEW OF THE  
ANIMAL EYE CARE SITE PLAN**

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Animal Eye Care site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled “Part 2 Project Impacts and Their Magnitude” which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED BY PLANNING  
BOARD MEMBER SOCHA WHO MOVED  
ITS ADOPTION, SECONDED BY PLANNING BOARD  
MEMBER SZYMANSKI, TO WIT:

**RESOLVED**, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION  
ANIMAL EYE CARE SITE PLAN  
NEGATIVE DECLARATION**

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716\_684\_3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 1.26 acres.

The location of the premises being reviewed is situate at 4865 Transit Road, Lancaster, County of Erie, New York.

## REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will not result in a physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will not affect surface or ground water quality or quantity.  
It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is not required; however, best management practices are required.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. The proposed action will not affect any threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or non-endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
15. The proposed action will not affect existing transportation systems.

16. The proposed action will not affect the community's sources of fuel or energy supply.
17. There will not be objectionable odors, noise, or vibration as a result of this proposed action.
18. The proposed action will not affect public health and safety.
19. The proposed action will have a small to moderate affect on the character of the existing community due to a moderate increase in employment.
20. There is not, nor is there likely to be, public controversy related to potential adverse environmental impacts.

s/s \_\_\_\_\_

**SEAL**

Robert H. Giza, Supervisor  
Town of Lancaster

January 6, 2003

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a voice vote which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	ABSTAINED
COUNCIL MEMBER ZARBO	WAS ABSENT
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES

The Notice of Determination was thereupon adopted.  
January 6, 2003

**ADJOURNMENT:**

ON MOTION DULY MADE BY PLANNING BOARD MEMBER  
KORZENIEWSKI, SECONDED AND CARRIED, this meeting was adjourned by voice vote at  
6:50 P.M.

Johanna M. Coleman, Town Clerk